

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BOBBY L. WILLIS, Individually and
as trustee of the BOBBY L. WILLIS
AND CARRIE S. WILLIS TRUST,
WILLIS ASSET MANAGEMENT, LLC,
JTB DEVELOPMENT PROPERTIES 3,
LLC, and JTB DEVELOPMENT
PROPERTIES 4, LLC,

Case No: 1:16-cv-167-JAP-LF

Plaintiffs

v.

QUENTIN SMITH, and STOREY & CLYDE, INC.

Defendants,

And

QUENTIN SMITH and STOREY & CLYDE, INC.,

Counterclaimants,

v.

BOBBY WILLIS,

Counter-Defendant.

ANSWER TO COUNTERCLAIM

Bobby Willis for his Response to the Counterclaim states:

1. Bobby Willis admits paragraphs 1 to 6.
2. Bobby Willis denies paragraphs 7 to 13. Upon information and belief, the books may be in the possession of the State of New Mexico or Ronnie Garner.
3. Bobby Willis admits paragraph 14 but adds that Ronnie Garner and Michael Atchison also requested Smith's services.
4. Bobby Willis lacks knowledge or information sufficient to form a belief about the

truth of paragraph 15 until the details of such charges are provided. Bobby Willis asserts that Quentin Smith was reimbursed.

5. Bobby Willis denies paragraphs 16 to 21.

6. In response to paragraph 22, Bobby Willis admits Smith travelled to New Mexico with jewels and gemstones but the value of such is much less than represented by Smith as set forth in the Complaint.

7. *Bobby Willis admits paragraph 23.

8. In response to paragraph 24, Smith pledged the jewels and gemstones as his investment in JTB III LLC, AMC and related companies as detailed in the Complaint.

9. Bobby Willis denies paragraph 25.

10. In response to paragraph 26, Bobby Willis admits that he told third parties the jewels and gemstones were Smith's investment because it is true.

11. Bobby Willis admits paragraph 27.

12. In response to paragraph 28, Bobby Willis admits he was wrongfully prosecuted for crimes he did not commit and in fact the charges relating to Quentin Smith were dismissed and the jewels and gemstones were to be turned over to the custody of Smith's attorney pending resolution of this lawsuit in which Bobby Willis asserts a constructive trust on the jewels and gemstones.

13. Bobby Willis lacks knowledge or information sufficient to form a belief about the truth of paragraph 29.

14. Bobby Willis denies paragraphs 30 to 69.

15. Any allegation not specifically admitted is denied.

16. Quentin Smith's claims are barred in whole or in part by the statute of limitations.

17. Quentin Smith's claims are barred in whole or in part by the defenses of comparative negligence, third party negligence, estoppel, failure of consideration, unclean hands, fraud, offset, payment, waiver, illegality, and laches.

18. Any claims for punitive damages are barred.

19. Willis hereby incorporates the allegations of the Complaint to the extent that they set forth affirmative defenses or a right to set off.

LAW OFFICES OF
ALLAN L. WAINWRIGHT, P.A.

By /s/Allan L. Wainwright
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We certify that on April 19, 2016 we emailed a copy of the foregoing pleading to:

Gonzales Law Firm, LLC
Steven L. Gonzales
Attorney for Defendants
3840 Masthead Street NE
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